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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Chinmei Chen Lee

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7590

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EXAMINER

CZEKAJ, DAVID J

ART UNIT

PAPER NUMBER

2613

DATE MAILED: 04/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/933,655	<b>Applicant(s)</b> LEE ET AL.	
	<b>Examiner</b> Dave Czekaj	<b>Art Unit</b> 2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

On pages 2-3 the applicant argues that Fernandez does not describe controlling the surveillance of an area with a mobile terminal. While the applicant's points are understood the examiner respectfully disagrees. See for example Fernandez column 8, lines 20-23. There Fernandez discloses a controller that is implemented in a portable computer. The examiner notes that a portable computer and a mobile terminal both provide computing resources at remote locations. Further, note Fernandez column 6, lines 52-60. There Fernandez discloses that the controller or mobile terminal is used to change camera focus, zoom, tilt, angle, or pan. The examiner notes that by changing the focus, zoom, tilt, angle, or pan, the area under surveillance is controlled. Therefore the rejection has been maintained.

### ***Claim Rejections - 35 USC § 102***

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-2 are rejected under 35 U.S.C. 102(e) as being anticipated by Fernandez et al. (6697103), (hereinafter referred to as "Fernandez").

Regarding claim 1, Fernandez discloses an apparatus that relates to remote surveillance and communications technology (Fernandez: column 1, lines 6-8). This apparatus comprises "receiving a request from a mobile terminal" (Fernandez: column 8, lines 20-23, wherein the mobile terminal is the controller,

column 9, lines 1-5, wherein the request is the user selection of the desired objects), "identifying the area that is to be identified" (Fernandez: column 4, lines 3-9, wherein common areas are identified, column 9, lines 1-5, wherein the identification is performed by the user selecting the appropriate site or link), and "orienting equipment to effect surveillance of the identified area" (Fernandez: column 4, lines 57-61, wherein orienting equipment is adjusting the pan, tilt, or focus).

Regarding claim 2, Fernandez discloses "using information from the mobile terminal to identify the area to be under surveillance" (Fernandez: column 8, lines 20-23, wherein the mobile terminal is the controller, column 9, lines 1-5, wherein the information is the data corresponding to the user selection).

2. Claims 1 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Sato (6704040).

Regarding claims 1 and 18, Sato discloses an apparatus that relates to remote control for a videophone used for surveillance (Sato: column 1, lines 7-10). This apparatus comprises "receiving a request from a mobile terminal" (Sato: figure 1, column 4, lines 38-45, wherein the mobile terminal is the cellular phone), "identifying the area that is to be identified" (Sato: column 4, lines 60-67, wherein the area to be identified is the area where the destination camera is located), and "orienting equipment to effect surveillance of the identified area" (Sato: column 5, lines 60-67, wherein orienting equipment is adjusting the direction, magnification, and resolution of the camera).

3. Claims 1 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Hsieh (6400264).

Regarding claim 1, Hsieh discloses an apparatus that relates to a community-monitoring device (Hsieh: column 1, lines 6-10). This apparatus comprises "receiving a request from a mobile terminal" (Hsieh: column 3, lines 13-20, wherein the mobile terminal is the portable image monitor, the request is the camera rotation switch which requests the camera to be rotated), "identifying the area that is to be identified" (Hsieh: figure 3, column 4, lines 40-45, wherein the area to be identified is the community), and "orienting equipment to effect surveillance of the identified area" (Hsieh: column 3, lines 13-20, wherein the orientation is the camera rotation).

Regarding claim 21, Hsieh discloses "coupling video surveillance equipment to a network" (Hsieh: column 3, lines 1-5, wherein the surveillance is the resident camera) and "orienting the equipment to initiate a request for surveillance" (Hsieh: column 3, lines 1-25, wherein the camera or equipment is oriented such that upon a correctly inputted code, an image is taken and transmitted, initiating the request is the process of taking an image when a user inputs a code).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3-10, 12-17, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fernandez et al. (6697103), (hereinafter referred to as "Fernandez") in view of Kawai et al. (6137485), (hereinafter referred to as "Kawai").

Regarding claim 3, note the examiners rejection for claim 1 and in addition, claim 3 differs from claim 1 in that claim 3 further requires using information from a base station to identify an area to be under surveillance. Kawai teaches that it is well known to use information from a base station to select images for surveillance (Kawai: column 1, lines 24-46, wherein the base station is where the user terminal is located, the information is the user selection for the specified camera). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to take the apparatus disclosed by Fernandez and add the information from the base station taught by Kawai since it is well known in the art to do so.

Regarding claims 4 and 20, Fernandez discloses "the wireless telecommunication system uses information from GPS to identify the are that is to be under surveillance" (Fernandez: column 7, lines 30-40, wherein the telecommunication system is the cellular phone radio connectivity, column 12, lines 40-49, wherein the GPS provides location information).

Regarding claims 5 and 8-9, although not disclosed, it would have been obvious to use the location of the terminal to orient a camera to focus in on the terminal (Official Notice). Doing so would have been obvious in order to obtain a

surveillance system that is more diverse by being able to view not only the surroundings but also the controller/terminal itself.

Regarding claim 6, Fernandez discloses "the location of the mobile terminal is determined from global position satellite signals" (Fernandez: column 10, lines 36-42, wherein the controller is equipped with a GPS receiver).

Regarding claim 7, Fernandez discloses "the location of the terminal is determined from the wireless network" (Fernandez: column 10, lines 36-42, wherein the wireless network is the GPS network).

Regarding claim 10, Fernandez discloses "the equipment used to effect surveillance" (Fernandez: column 4, lines 57-61, wherein adjusting the pan, tilt, or focus is effecting surveillance).

Regarding claim 12, Fernandez discloses "the equipment used to effect surveillance remains focused for a fixed interval of time" (Fernandez: column 12, lines 50-67, wherein the fixed interval of time is the time the object is within view of the cameras).

Regarding claims 13 and 17, Fernandez discloses "making a recording of the area under surveillance" (Fernandez: column 9, lines 10-24, wherein the database is equipped with a storage device array for recording various statistics and images).

Regarding claim 14, Fernandez discloses "the request for surveillance from the mobile terminal is effected by activation a menu and selecting an option from the menu" (Fernandez: column 9, lines 1-9, wherein the menu is the list of

websites or icons and selecting an option is clicking or selecting on the desired website or link).

Regarding claims 15 and 16, although not disclosed, it would have been obvious to use a security code on the mobile terminal (Official Notice). Doing so would have been obvious in order to prevent unauthorized access to the system.

6. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fernandez et al. (6697103), (hereinafter referred to as "Fernandez") in view of Kawai et al. (6137485), (hereinafter referred to as "Kawai") in further view of Ozaki et al. (6342915), (hereinafter referred to as "Ozaki").

Regarding claim 11, note the examiners rejection for claim 3 and in addition, claim 11 differs from claim 3 in that claim 11 further requires audio communication via a wireless network. Ozaki teaches that it is well known in the art to provide a wireless audio link for communication between two terminals (Ozaki: column 1, lines 17-25, wherein the wireless link is the cell phone, the two terminals are the different locations of the user and manager). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to take the apparatus disclosed by Fernandez, add the information from the base station taught by Kawai, and add the audio link taught by Ozaki since it is well known in the art to do so.

7. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sato (6704040) in view of Nunally et al. (5917958), (hereinafter referred to as "Nunally").



Regarding claim 19, note the examiners rejection for claims 1 and 18, and in addition, claim 19 differs from claims 1 and 18 in that claim 19 further requires activating a menu and selecting a surveillance option from the menu. Nunally teaches that there is a need for more efficient and flexible surveillance systems (Nunally: column 2, lines 46-50). To help alleviate this problem, Nunally discloses "activating a menu and selecting a surveillance option from the menu" (Nunally: figures 136, 170, wherein the menu is the drop down menu, the option is the different tools to apply to the selected cameras). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to take the apparatus disclosed by Sato and add the menu options taught by Nunally in order to obtain an apparatus that operates more efficiently by providing a security device that operates with greater flexibility by being able to customize different options for different cameras.

### ***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of


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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave Czekaj whose telephone number is (571) 272-7327. The examiner can normally be reached on Monday - Friday 9 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
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